

1 JUDGE FRANKLIN D. BURGESS
2
3
4
5
6
7

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

8 UNITED STATES OF AMERICA,) NO. CR06-5048FDB
9 Plaintiff,)
10 vs.) ORDER GRANTING STIPULATED
11 ISRAEL TIMOTEO,) MOTION TO CONTINUE TRIAL
12 Defendant.) DATE
13
14

15 Based on the stipulated motion of the parties to continue the trial date, and the
16 Defendant's Waiver of Speedy Trial Rights, the Court makes the following findings of
17 fact and conclusions of law:

18 1. The ends of justice served by granting this continuance outweigh the best
19 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

20 2. Proceeding to trial absent adequate time for the defense to prepare would
21 result in a miscarriage of justice. 18 U.S.C. §3161(h)(8)(B)(I).

22 3. The defense needs additional time to explore issues of some complexity,
23 including all relevant issues and defenses applicable to the case, which would make it
24 unreasonable to expect adequate preparation for pretrial proceedings or for trial itself
25 within the time limits established by the Speedy Trial Act and currently set for this case.
26 18 U.S.C. § 3161(h)(8)(B)(ii).

1 4. Taking into account the exercise of due diligence, a continuance is necessary
2 to allow the defendant the reasonable time for effective preparation of his defense. 18
3 U.S.C. § 3161(h)(8)(B)(iv).

4 NOW, THEREFORE,

5 IT IS HEREBY ORDERED that the trial date is continued from June 5, 2006 to
6 July 31, 2006, at 9:00 am. The resulting period of delay from June 5, 2006, up to and
7 including the new trial date of July 31, 2006, is hereby excluded for speedy trial
8 purposes under 18 U.S.C. § 3161(h)(8)(A) and (B).

9 Pre-trial conference shall be on July 21, 2006, at 1:30 pm.

10 DONE this 19th day of May, 2006.



13
14 FRANKLIN D. BURGESS
15 UNITED STATES DISTRICT JUDGE

16 Presented By:

21 /s/ Colin A. Fieman

21 /s/ Tessa Gorman

22 Colin A. Fieman

22 Tessa Gorman

23 Attorney for Defendant

23 Assistant United States Attorney